

## AGENDA MEMO

**CITY COUNCIL MEETING DATE: MAY 16, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ZON-20192 - APPLICANT: URBAN LOFTS XIV, LTD -  
OWNER: CITY OF LAS VEGAS**

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### **\*\* CONDITIONS \*\***

The Planning Commission (4-2/ld/sd vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. A General Plan Amendment (GPA-20188) to M (Medium Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted for RPD-14 zoning.
3. A Site Development Plan Review (SDR-20187) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

#### **Public Works**

4. Construct all incomplete half-street improvements on Stewart Avenue adjacent to this site concurrent with development of this site.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Rezoning from C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 Units per Acre) on 3.98 acres on the northwest corner of Stewart Avenue and Mojave Road.

Based on gross acre property size the proposed project has 15 units to the acre. This residential development is contingent upon approval of a General Plan Amendment (GPA-20188) to M (Medium Density Residential), a Site Development Plan Review (SDR-20187), Waiver (WVR-20191) of private street width, Variance (VAR-20190) of open space and a Variance (VAR-20193) of minimum acreage permitted for an R-PD (Residential Planned Development).

The proposed single family attached residential project will be compatible with the multi-family housing developments to the west of the project and to the community recreational facility to the south across Stewart Avenue. Therefore, staff recommends approval.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
08/04/04	The City Council approved a request to Amend (GPA-4523) a portion of the Southeast Sector Plan of the Master Plan from SC (Service Commercial) to PF (Public Facilities), a Rezoning (ZON-4524) from C-1 (Limited Commercial) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4525) for a proposed government facility (East Las Vegas Business Incubator), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue Action. Planning Commission and staff recommends approval.
04/12/07	<p>The Planning Commission recommended approval of companion items VAR-20193 and WVR-20191. The Planning Commission had no recommendation of companion items VAR-20190 and SDR-20187. The Planning Commission voted 4-2/ld/sd which failed to obtain a super majority vote which is tantamount to DENIAL of companion item GPA-20188 concurrently with this application.</p> <p>The Planning Commission voted 4-2/ld/sd to recommend APPROVAL (PC Agenda Item #51/jm).</p>
<b><i>Related Building Permits/Business Licenses</i></b>	
10/04/05	Code Enforcement (#35102) cited the property for weeds and debris. The case was closed on 10/06/05.

<b><i>Pre-Application Meeting</i></b>	
02/14/07	A pre-application meeting was held with regard to the proposed project. Issues related to the General Plan, Rezoning, Site Development Plan, Waiver and Variances were discussed. General process, code requirements and application submittal requirements were explained to the applicant.
<b><i>Neighborhood Meeting</i></b>	
03/14/07	A neighborhood meeting was held at 5:30pm at the East Las Vegas Community Senior Center, 250 N. Eastern Ave. No neighbors attended.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	3.98

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	PF (Public Facilities)	C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre)
North	I-515	I-515	I-515
South	Community Recreational Center	PF (Public Facilities)	C-1 (Service Commercial)
East	Multi-Family	PF (Public Facilities)	R-3 (Medium Density Residential)
West	Correctional Facility	M (Medium Density Residential)	C-V (Civic)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>	X		Y
Redevelopment Plan Area	X		Y
<b>Special Purpose and Overlay Districts</b>		X	N/A
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.08, the following standards apply:*

<b>Standard</b>	<b>Provided</b>
Min. Lot Size	1,206 SF
Min. Lot Width	20 Feet
Min. Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Rear</li> </ul>	3.75 Feet 0 – 17.31 Feet 3.42 – 16.80 Feet
Max. Building Heights	3 stories, 38.5 feet

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
C-1	NA	NA
<b>Proposed Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-PD15	14.07 Units per Acre	59
<b>Proposed General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
M (Medium Density Residential)	25.49 Units per Acre	97

*Pursuant to Title 19.12, the following Landscape Standards apply:*

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Buffer: Min. Trees	1 Tree/30 Linear Feet	31 Trees	31 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	8 Feet		Height not shown	NA

<b>Open Space – R-PD only</b>							
<b>Total Acreage</b>	<b>Density</b>	<b>Required</b>			<b>Provided</b>		<b>Compliance</b>
		<b>Ratio</b>	<b>Percent</b>	<b>Area</b>	<b>Percent</b>	<b>Area</b>	
3.98	14.1 du/acre	1.65	23%	40,249	1.1%	2,059	N*

\*A Variance (VAR-20190) has been requested.

*Pursuant to Title 19.10, the following parking standards apply:*

<b>Parking Requirement</b>
The project is required to provide a minimum of two parking spaces per dwelling unit. In addition, the project is required to provide one guest space for every six dwelling units. The proposed project is a 56 unit development which would require 10 guest spaces, the site has 11 guest spaces. Each unit is proposed to have a minimum of a two car garage. This meets Title 19.10 parking requirements.

## ANALYSIS

The property is currently located in the C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre). The City Council, in 2004, approved a request to amend (GPA-4523) a portion of the Southeast Sector Plan of the Master Plan from SC (Service Commercial) to PF (Public Facilities), a Rezoning (ZON-4524) from C-1 (Limited Commercial) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4525) for a proposed government facility (East Las Vegas Business Incubator).

The applicant proposes to amend (GPA-20188) the Master Plan to M (Medium Density Residential), rezone the property to R-PD15 (Residential Planned Development – 15 Units per Acre), and develop a 56-unit single-family attached residential subdivision of three-story homes. Residential development and related uses are allowed in this category up to 25.49 dwelling units per acre. The proposed development on this site will have a density of 14.07 units per acre in conformance to the M (Medium Density Residential), General Plan designation.

## FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

**1. “The proposal conforms to the General Plan.”**

The requested R-PD15 (Residential Planned Development - 15 Units per Acre) zoning designation conforms to the proposed General Plan Amendment (GPA-20188) to M (Medium Density Residential) land use designation, which allows up to 25.49 units per acre.

**2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The proposed single-family attached residential project will be compatible with the multi-family housing developments to the west of the project and to the community recreational facility to the south across Stewart Avenue.

**3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

The site is an undeveloped parcel of land adjacent to I-95 to the north, a multi-family development to the west, a correctional facility to the east and a community recreational facility to the south. The neighborhood is not well served by continuing to maintain a vacant parcel of land in the middle of the area, where dust control, vandalism and a host of other problems can result from the continuation of the current undeveloped state of the site. The project as proposed will benefit the neighborhood and will appropriate in the context of the type and density of development on surrounding sites.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

The site is accessed from 30<sup>th</sup> Street, a 60-foot wide local street. As I-95 blocks access to the north, 30<sup>th</sup> Street gains access to Stewart Avenue, a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. The existing roadway network is adequate to meet the requirements of the proposed district.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 9

**ASSEMBLY DISTRICT** 11

**SENATE DISTRICT** 10

**NOTICES MAILED** 89 by Planning Department

**APPROVALS** 0

**PROTESTS** 0